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WAKE COUNTY AND 23 AM 10: 03 NORTH CAROLINAE CO., C.S.C. BY	IN THE GENERAL COURTS OF JUSTICE SUPERIOR COURT DIVISION 11 CVS 19271
THE NORTH CAROLINA STATE BAR PETITIONER)))
v.) CONSENT ORDER VACATING) PRELIMINARY INJUNCTION
TINA PATRICK-BROADWAY,)
Attorney,	
RESPONDENT) .

THIS MATTER is before the undersigned Judge of Superior Court of Wake County on joint motion of the parties. Petitioner, the North Carolina State Bar, is represented by Carmen H. Bannon. Respondent, Tina Patrick-Broadway, is represented by Dudley A. Witt. Based upon the record herein and the consent of the parties, the Court makes the following:

FINDINGS OF FACT

- 1. In 2010 the North Carolina State Bar began investigating irregularities in attorney Tina Patrick-Broadway's trust account.
- 2. Based on the preliminary results of the State Bar's investigation, the parties entered into a Consent Order of Preliminary Injunction dated 21 December 2011 in which Patrick-Broadway was enjoined from handling client or fiduciary funds until further notice of this Court.
- 3. The State Bar's investigation indicated numerous instances of trust accounting rule violations and failure to supervise non-lawyer staff, but did not reveal that Patrick-Broadway engaged in dishonest conduct in the handling of entrusted funds.
- 4. On 13 July 2012 the State Bar initiated a formal disciplinary action against Patrick-Broadway before the Disciplinary Hearing Commission (DHC).
- 5. On 7 May 2013 the parties entered into a Consent Order of Discipline, a copy of which is attached as Attachment A, which resolved the pending disciplinary action against Patrick-Broadway in the DHC.
- 6. Under the terms of the 7 May 2013 Consent Order of Discipline, Patrick-Broadway's license was suspended for four years but the suspension was stayed for a period of three years upon conditions designed to ensure the proper handling of entrusted and fiduciary funds.

Based upon the foregoing findings of fact, the Court makes the following

CONCLUSIONS OF LAW

- 1. The terms and conditions of the stayed suspension of Patrick-Broadway's license provide sufficient safeguards for her continued handling of entrusted funds and it is no longer necessary for Patrick-Broadway to be enjoined from handling client or fiduciary funds.
- 2. Patrick-Broadway should be permitted to resume serving in a fiduciary capacity, including as trustee, escrow agent, personal representative, executor or attorney-in-fact.

THEREFORE, IT IS HEREBY ORDERED:

This Court's 21 December 2011 Consent Order of Preliminary Injunction is hereby VACATED.

This the 23day of August, 2013.

Wake County Superior Count Judge

WE CONSENT

Carmen Hoyme Bannon
Attorney for the Petitioner

The North Carolina State Bar

Dudley A. Witt/

Attorney for Respondent, Tina Patrick-Broadway